

Message Text

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51

ACTION EA-10

INFO OCT-01 ISO-00 OMB-01 IO-10 AID-05 CIAE-00 DODE-00

PM-03 H-01 INR-07 L-02 NSAE-00 NSC-05 PA-01 RSC-01

PRS-01 SP-02 SS-15 USIA-06 /071 W

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R 161138Z JAN 75

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC 9874

INFO AMCONSUL CHIANG MAI

AMCONSUL UDORN

CINCPAC

C O N F I D E N T I A L BANGKOK 0848

E. O. 11652: GDS

TAGS: PGOV, PINT, TH

SUBJ: NLA PASSES CONSTITUTIONAL AMENDMENT ON SENATE

REFS: A) BANGKOK 16119

B) BANGKOK 19775

C) BANGKOK 20047

CINCPAC FOR POLAD

SUMMARY: THE NATIONAL LEGISLATIVE ASSEMBLY PASSED A BILL AMENDING THE CONSTITUTION SO THAT THE PRIME MINISTER COUNTERSIGNS THE ROYAL ACT APPOINTING THE 100 MAN SENATE. THIS FIRST AMENDMENT OF THE NEW CONSTITUTION CAME ON A QUICK VOTE CULMINATING TORTUOUS LEGISLATIVE HANDLING. END SUMMARY

1. THE NATIONAL LEGISLATIVE ASSEMBLY APPROVED THE THIRD READING JANUARY 16 OF A BILL TO AMEND THE CONSTITUTION SO THAT THE PRIME MINISTER COUNTERSIGNS THE ROYAL ACT APPOINTING THE SENATE. THE OVERWHELMING VOTE WAS 199 TO 28 WITH 12 ABSTENTIONS.

2. WHEN THE KING PROMULGATED THE CONSTITUTION HE CRITICIZED THE ARTICLE DESIGNATING THE PRESIDENT OF THE PRIVY COUNCIL
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TO COUNTERSIGN THE ROYAL APPOINTMENT BECAUSE THE PRESIDENT WAS ALSO A ROYALLY APPOINTED OFFICIAL (REF A). THE SANYA GOVERNMENT

FINALLY OVERREACTED ON DE 12 TO THE KING'S WISH AND PROPOSED AN AMENDMENT TO ABOLISH THE SENATE ENTIRELY. THE ASSEMBLY TURNED DOWN THE GOVERNMENT BILL (REF B). A PRIVATE BILL CAME TO THE FLOOR DECEMBER 26 WHICH DESIGNATED THE PRIME MINISTER TO COUNTERSIGN THE ROYAL SENATORIAL APPOINTMENTS (REF C).

3. THE SCRUTINY COMMITTEE TOOK THE MODEST LEGISLATION AND EXPANDED IT INTO A TWELVE ARTICLE MASTERPIECE WHICH WOULD HAVE SIGNIFICANTLY AMENDED A NUMBER OF CONSTITUTIONAL ARTICLES. THE COMMITTEE REPORTED OUT ITS VERSION OF THE CONSTITUTIONAL AMENDMENT ON DEC 27. THE ASSEMBLY TOOK IT APART AND RETURNED IT TO A BILL WHICH ONLY DEALT WITH THE PROBLEM OF WHO SHOULD COUNTERSIGN THE SENATORIAL APPOINTMENTS.

4. COMMENT: IN SELECTING THE PRIME MINISTER TO COUNTERSIGN THE ROYAL APPOINTMENT TO THE UPPER HOUSE, THE AMENDMENT REVERTS TO PAST USAGES. ARTICLE 232 OF THE CONSTITUTION REQUIRES THAT THE KING APPOINT THE SENATE ON ELECTION DAY, IN THIS CASE WHILE SANYA THAMMASAK WILL STILL BE PRIME MINISTER. ALTHOUGH THE ASSEMBLY MAY ASSUME THAT THE APPROACHING SENATORIAL APPOINTMENTS WILL BE PARTICULARLY NON-PARTISAN, A FUTURE PRIME MINISTER COULD INFLUENCE THE APPOINTMENTS AND ATTEMPT TO PERPETUATE HIS INFLUENCE THROUGH STACKING THE SENATE.
KINTNER

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